

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

JAMES ALFRED DEASON,
Plaintiff,

v.

Civil No. 3:23cv602 (DJN)


HENRICO JAIL WEST + EAST, *et al.*,
Defendants.

MEMORANDUM OPINION

By Memorandum Order entered on October 19, 2023, the Court conditionally docketed Plaintiff's action. When Plaintiff returned the required forms, he expressed some hesitation about being responsible for the \$350 filing fee. (ECF No. 8 at 1.) By Memorandum Order on November 22, 2023, the Court provided Plaintiff with a final chance to voluntarily dismiss the action if he did not wish to pay fees from his inmate account. (*Id.*) Plaintiff did not respond, and by Memorandum Order entered on January 17, 2024, the Court waived the initial partial filing fee and filed the action. (ECF No. 9.) On February 14, 2024, the United States Postal Service returned the January 17, 2024 Memorandum Order to the Court marked, "RETURN TO SENDER" and "INMATE DEASON REFUSED LETTER." (ECF No. 10 at 1.) Plaintiff's refusal of the Court's order indicates his lack of interest in prosecuting this action. *See* Fed. R. Civ. P. 41(b). Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

Let the Clerk file a copy of this Memorandum Opinion electronically and send a copy to Plaintiff.

An appropriate Order shall issue.

/s/ 
David J. Novak
United States District Judge

Richmond, Virginia
Dated: March 1, 2024